

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF OHIO**  
**WESTERN DIVISION**

*Granted  
Susan J. Watt  
1/17/14*

**JOSEPH COMELLO**

Plaintiff

vs.

**COMMISSIONER OF  
SOCIAL SECURITY**

Defendant

: Civil Action No. 1:13-CV-671  
:  
: Judge  
:  
: Magistrate Judge

: **PLAINTIFF'S MOTION TO DISMISS**  
:  
: **CASE 1:13-CV-671**  
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Now comes Plaintiff, Joseph Comello, by and through counsel, and request that this Honorable Court dismiss the above-captioned claim. Remand proceedings have concluded on case 1:12-cv-148 and we would therefore like to proceed with a request for review of the Commissioner's remand decision denying Plaintiff's claims. Defendant will file a motion to reopen case 1:12-cv-148.

Respectfully submitted,  
**O'CONNOR, ACCIANI & LEVY Co. LPA**

**s/Henry D. Acciani**  
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